

**United States District Court  
Western District of Washington**

REC SOFTWARE USA, INC.

Plaintiff(s)

Case Number: 2:14-cv-01025-MJP

V.

ZTE (USA) INC.

Defendant(s)

APPLICATION FOR LEAVE TO APPEAR  
PRO HAC VICE

Pursuant to LCR 83.1(d) of the United States District Court for the Western District of Washington,

Everett McClyde Upshaw

hereby applies for permission to appear  
and participate as counsel in the above entitled action on behalf of the following party or parties:

ZTE (USA) Inc.

The particular need for my appearance and participation is:

To represent defendant ZTE (USA) Inc.

I, Everett McClyde Upshaw understand that I am charged with knowing and  
complying with all applicable local rules;

I have not been disbarred or formally censured by a court of record or by a state bar association;  
and there are not disciplinary proceedings against me.

I declare under penalty of perjury that the foregoing is true and correct.

Date: Nov 17, 2014

Signature of Applicant: s/ Everett McClyde Upshaw

Pro Hac Vice Attorney

Applicant's Name: Everett McClyde Upshaw

Law Firm Name: Upshaw PLLC

Street Address 1: 811 S. Central Expressway

Address Line 2: Suite 307

City: Richardson State: Texas Zip: 75080

Phone Number w/ Area Code 972-920-8000 Bar # 24025690 State Texas

Primary E-mail Address: everettupshaw@everettupshaw.com Secondary E-mail Address: contact@everettupshaw.com

**STATEMENT OF LOCAL COUNSEL**

I am authorized and will be prepared to handle this matter, including trial, in the event the applicant Everett McClyde Upshaw is unable to be present upon any date assigned by the court.

Date: Nov 18, 2014 Signature of Local Counsel: s/ Molly A. Terwilliger

Local Counsel's Name: Molly A. Terwilliger Bar # 28449

Law Firm Name: Summit Law Group, PLLC

Street Address 1: 315 Fifth Ave. S., Ste. 1000

Address Line 2:

City: Seattle State: Washington Zip: 98104

Phone Number w/ Area Code Example: 999-999-9999 206-676-7110

## Electronic Case Filing Agreement

By submitting this form, the undersigned understands and agrees to the following:

1. The CM/ECF system is to be used for filing and reviewing electronic documents, docket sheets, and notices.
2. The password issued to you by the court, combined with your login, serves as your signature under Federal Rule of Civil Procedure 11. Therefore, you are responsible for protecting and securing this password against unauthorized use.
3. If you have any reason to suspect that your password has been compromised in any way, you are responsible for immediately notifying the court. Members of the court's systems staff will assess the risk and advise you accordingly.
4. By signing this Registration Form, you consent to receive notice electronically, and to waive your right to receive notice by personal service or first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(C), except with regard to service of a complaint and summons. This provision *does* include electronic notice of the entry of an order or judgment.
5. You will continue to access court information via the Western District of Washington's internet site or through the Public Access to Court Electronic Records (PACER) system. You will continue to need a PACER login, in addition to the court-issued password. You can register for PACER at their web site: <http://pacer.psc.uscourts.gov>.
6. By this registration, the undersigned agrees to abide by the rules and regulations in the most recent General Order, the Electronic Filing Procedures developed by the Clerk's Office, and any changes or additions that may be made to such administrative procedures in the future.

s/ Everett McClyde Upshaw

**Signature** (use an "s/" and type your name)

Nov 18, 2014

**Date Signed**